

HIGH COURT OF UTTARANCHAL AT NAINIAL.

Writ Petition No. 682(S/S)2006

Govind Prasad Arya S/o Sri Kripal Ram Arya,
R/o Hanuman Mandir Marg, Srinagar,
District Pauri Garhwal. -----Petitioner.

Vs.

1. State of Uttaranchal through Secretary,
Revenue Department, Secretariat Uttaranchal,
Dehradun,
2. Commissioner,
Garhwal Division, Pauri,
3. District Magistrate,
Tehri Garhwal. -----Respondents.

Sri R.P. Nautiyal Adv. And Sri Tumul Nailwal, learned counsel for the petitioner,
Learned Standing Counsel for the respondents.

Hon'ble M.M. Ghildiyal, J.

Heard Sri Tumul Nailwal, learned counsel for the petitioner and learned Standing Counsel for State of Uttaranchal/ respondents.

2. By means of this writ petition, the petitioner has challenged the order dated 3rd May 2006 passed by the Commissioner, Garhwal Division Pauri by which the petitioner has been placed under suspension contemplating disciplinary inquiry. By the same order the Chief Development Officer, Tehri has been appointed as Inquiry Officer.

3. The petitioner has been placed under suspension on the ground that a disciplinary proceeding as contemplated against the petitioner, as on 24.02.2006 the petitioner could not reach at Campty Fall Mussoorie, where an accident took place, despite of the telephonic directions issued by the Sub Divisional Magistrate, Dhanolti, Tehri Garhwal, with the result, the relief work was affected.

4. After perusing the record and hearing upon learned counsel for the parties, I am not inclined to interfere with the order impugned at this stage, as I found no infirmity in the order. The petitioner was suspended on 3rd May 2006 and Inquiry Officer has already been appointed. The petitioner has submitted that after this suspension he has yet not received any charge sheet.

5. In the circumstances narrated above, I deem it fit and proper to direct the Inquiry Officer to serve charge sheet upon the petitioner within a period of three weeks from today, the petitioner is granted 15 days' time thereafter, to reply the same.

6. It is expected that the inquiry shall be concluded within a period of three months, at any rate before 21st August 2006. The petitioner is also directed to co-operate with the inquiry and submit a certified copy of this order before the Inquiry Officer within a period of one week from today.

7. With these directions, the writ petition is finally disposed of.

(M.M. Ghildiyal, J.)

May 22, 2006:

NCM: